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Estimates in respect of special political missions, good offices and other political initiatives authorized by the General Assembly and/or the Security Council

Thematic cluster II: special political missions

Organization for the Prohibition of Chemical Weapons-United Nations Joint Investigative Mechanism

Report of the Secretary-General

Summary

The present report contains the proposed resource requirements for the Organization for the Prohibition of Chemical Weapons-United Nations Joint Investigative Mechanism, amounting to $3,278,800 (net of staff assessment) for the period from 1 November 2016 to 16 November 2017.

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Organization for the Prohibition of Chemical Weapons-United Nations Joint Investigative Mechanism

($3,278,800)

Background, mandate and objective

1. On 7 August 2015, the Security Council adopted resolution 2235 (2015), condemning any use of toxic chemicals, such as chlorine, as a chemical weapon in the Syrian Arab Republic and expressing its determination to identify those responsible for these acts. In the same resolution, the Council established for a period of one year, with a possibility of future extension if it deemed it necessary, an Organization for the Prohibition of Chemical Weapons-United Nations Joint Investigative Mechanism.

2. The Security Council further extended the Joint Investigative Mechanism, first with a technical roll-over from 22 September to 31 October 2016 to allow for the completion of a report, and then with the adoption on 31 October 2016 of resolution 2314 (2016) in which the Council decided to renew the mandate of the Joint Investigative Mechanism until 18 November 2016 and expressed its intention to consider a further extension before the expiration of that mandate. As a result, resolution 2319 (2016) was adopted on 17 November 2016, renewing the mandate for a further period of one year from the date of adoption of the resolution, with a possibility of a future extension and update if the Security Council deemed it necessary.

3. It is proposed that the Joint Investigative Mechanism continue to be managed by a Head with two deputies. Together, they would continue to form an independent, objective, impartial and professional leadership panel, consisting of an Assistant Secretary-General and two deputies at the D-2 level. The Head and deputies are proposed to be supported by 23 staff, as detailed in table 3. The staffing composition of the Mechanism is proposed to remain the same as for the period approved until 31 October 2016.

4. Pending approval by the General Assembly of the resource requirements for the activities of the Joint Investigative Mechanism for the period from 1 November 2016 to 16 November 2017, the requirements for the period from 1 November to 31 December 2016 are being funded under the authority granted to the Secretary-General under paragraph 1 (a) of General Assembly resolution 70/250 relating to unforeseen and extraordinary expenses for the biennium 2016-2017, for the cost of three positions. Those resource requirements for the period from 1 November to 31 December 2016 are included in the amount for which appropriation by the Assembly is requested in paragraph 19 (b) below.

5. The mandate of the Mechanism is to identify, to the greatest extent feasible, individuals, entities, groups or Governments who were perpetrators, organizers, sponsors or otherwise involved in the use of chemicals as weapons, including chlorine or any other toxic chemical, in the Syrian Arab Republic where the Organization for the Prohibition of Chemical Weapons (OPCW) fact-finding mission determines or has determined that a specific incident in the Syrian Arab Republic involved or likely involved the use of chemicals as weapons, including chlorine or any other toxic chemical.

6. By its resolution 2319 (2016), the Security Council renewed the Mechanism for one year, with a possibility of a future extension, if it deems it necessary, with the same mandate. The Mechanism may undertake activities at locations where the use of toxic chemicals as a weapon is alleged to have occurred, including locations directly relevant to the Mechanism, such as hospitals and emergency response stations, any other locations within the Syrian Arab Republic, including territories not under its control, and neighbouring and other relevant States, as the Mechanism may consider necessary or appropriate. In its resolution 2319 (2016), the Security Council added new tasks to the work of the Mechanism, inter alia encouraging the Mechanism to consult, where relevant, appropriate United Nations counter-terrorism and non-proliferation bodies in order to exchange information on non-state actor perpetration, organization or sponsorship of or other involvement in the use of chemicals as weapons in the Syrian Arab Republic. The proposed budget also reflects the invitation by the Council in resolution 2319 (2016) to the Mechanism to engage relevant regional States, including in order to identify to the greatest extent feasible any individuals, entities or groups associated with Islamic State in Iraq and the Levant (ISIL, also known as Da'esh) or the Nusrah Front who have been involved in the use of chemicals as weapons.

7. The Head of the Mechanism would continue to be supported by three components: a political office, based in New York and Damascus, which provides political analysis, legal advice and support with respect to media relations, information management, coordination and administration; an investigative office, based in The Hague, which collects information, both information available at OPCW and information obtained externally, and works to identify perpetrators through criminal investigation functions and analysis, including case management, counter-terrorism analysis, complex criminal analysis, forensics, military analysis, delivery system and ordnance analysis and other relevant information and corroboration analysis; and a planning and operations support office, based in New York, which provides support to the political and investigative components.

Cooperation with other entities

8. In fulfilling its tasks, the Mechanism works with United Nations departments, including the Office for Disarmament Affairs, the Department of Political Affairs, the Department of Safety and Security, the Office of Legal Affairs and the Department of Field Support, as well as the United Nations country team in the Syrian Arab Republic, as necessary. In addition, it works closely with OPCW in terms of sharing information as needed for the investigations. It also coordinates at the working and senior levels with other organizations, including the World Health Organization (WHO) and the International Criminal Police Organization (INTERPOL), among others, as appropriate. Furthermore, in resolution 2319 (2016) the Security Council encouraged the Mechanism to consult appropriate United Nations counter-terrorism and non-proliferation bodies to exchange information and encouraged the Mechanism to engage relevant regional States.

Performance information

9. In accordance with paragraph 5 of Security Council resolution 2235 (2015), the Secretary-General submitted a letter to the President of the Council on 27 August 2015 (S/2015/669). The letter contained recommendations, including

elements of terms of reference, regarding the establishment and operation of the Mechanism. Security Council resolution 2319 (2016) continues that arrangement.

10. On 24 September 2015, the Head and deputies of the leadership panel began their work, following the appointment of the members by the Secretary-General. The Head of the Mechanism was approved by the Security Council. The process to recruit core staff was initiated on 25 September 2015. Staff were contracted for the duration of the original mandate contained in Council resolution 2235 (2015) ending in October 2016; as the extension of the mandate was decided by the Council only on 17 November 2016, staff contracts were terminated on 31 October 2016.

11. Given that appropriate support from Member States is required for the Mechanism to perform its role, a trust fund was established by the Secretary-General. On 25 September 2015, the Head of the Mechanism sent a letter seeking financial support from interested Member States, given that material and technical needs would be met from voluntary contributions. The trust fund became fully operative by January 2016 and is utilized for activities, deployments and specialized equipment as well as technical expertise needed in the pursuit of the operations of the Mechanism.

12. Between October and December 2015, the Mechanism set up its offices in New York, The Hague and Damascus.

Planning assumptions for 2017

13. As indicated in Security Council resolution 2319 (2016), the Mechanism continues to base its work on the letters dated 27 August and 9 September 2015 from the Secretary-General addressed to the President of the Security Council (S/2015/669 and S/2015/696), as well as on the terms of reference developed by the Mechanism, including with regard to its methods of work, information management, modalities for access, evidence and reporting.

14. The objective, expected accomplishments, indicators of achievement and performance measures of the Mechanism are set out below.

Table 1
Objective, expected accomplishments, indicators of achievement and performance measures

Objective of the Organization: To identify, to the greatest extent feasible, individuals, entities, groups or Governments who were perpetrators, organizers, sponsors or otherwise involved in the use of chemicals as weapons, including chlorine or any other toxic chemical, in the Syrian Arab Republic

Expected accomplishments of the Secretariat	*Indicators of achievement*	*Performance measures*	*2017*	*2*
(a) Effective application of methodological considerations for the implementation of the Mechanism's mandate; effective and timely reporting on the progress achieved by the Mechanism	(i) First report of the Secretary-General submitted within 90 days of the adoption of resolution 2319 (2016) and subsequent reports as appropriate thereafter, presentation of the reports to the Security Council and of information to the Executive Council of OPCW, and briefings, as appropriate, to the Security Council Committee established pursuant to	Target	3 reports (1 after 90 days and 2 subsequently)	3 reports (1 af 90 days a 2 subsequent
		Estimate	–	
		Actual		4 repo

	resolution 1540 (2004), the Security Council Committee pursuant to resolutions 1267 (1999), 1989 (2011) and 2253 (2015) concerning Islamic State in Iraq and the Levant (Da'esh), Al-Qaida and associated individuals, groups, undertakings and entities, and other relevant counter-terrorism or non-proliferation bodies on relevant results of the work of the Mechanism			
	(ii) Report of the Secretary-General to the Security Council, in coordination with the Director-General of OPCW, and information provided to the OPCW Executive Council every 60 days thereafter on the progress made	Target	7 progress reports	5 progress reports
		Estimate	–	–
		Actual		5 progress reports
(b) Effective functioning of a confidential information security regime that will take into account the requirements deemed necessary for the storage and use of information and materials provided to the Mechanism by the OPCW fact-finding mission, as well as information provided to the Mechanism pursuant to paragraphs 7 and 8 of Security Council resolution 2235 (2015) and Council resolution 2319 (2016); and accountability through management and accessibility of authentic digital business records, archives and information	Processing and record-keeping of all information and evidence through the regime to be applied to all information obtained or generated by the Mechanism in the conduct of its work	Target	100 per cent	100 per cent
		Estimate	–	–
		Actual		100 per cent

Outputs

- Regular engagement and consultations with the Syrian Arab Republic and all parties in the Syrian Arab Republic on all issues relating to the implementation of Security Council resolutions 2235 (2015), 2314 (2016) and 2319 (2016)
- Regular engagement and consultation with relevant Member States and with partner organizations (OPCW, WHO and INTERPOL, among others), consultation with appropriate United Nations counter-terrorism and non-proliferation bodies in order to exchange information, and engagement with relevant regional States
- First report of the Mechanism within 90 days of the date of Security Council resolution 2319 (2016) and subsequent reports as appropriate thereafter
- Continued implementation of a record management system within a robust information security regime to be applied to all information obtained or generated by the Mechanism in the conduct of its work

External factors

15. The objective is expected to be achieved provided that security conditions are conducive to the implementation of the mandate, there is political will, support and engagement from the various stakeholders and there is continued strong support from the international community.

Resource requirements (regular budget)

Table 2
Financial resources

(Thousands of United States dollars)

Category	*1 January-31 October 2016*	*1 November 2016-16 November 2017*	*Variance*
Civilian personnel costs	3 628.9	2 712.2[a]	(916.7)
Operational costs	566.6	566.6	–
Subtotal	**4 195.50**	**3 278.8**	**(916.7)**

[a] Including an amount of $93,000 for the period from 1 November to 31 December 2016 funded under the authority granted to the Secretary-General under paragraph 1 (a) of General Assembly resolution 70/250 relating to unforeseen and extraordinary expenses.

Table 3
Positions

	Professional and higher categories									*General Service and related categories*			*National staff*			
	USG	*ASG*	*D-2*	*D-1*	*P-5*	*P-4*	*P-3*	*P-2*	***Subtotal***	*Field/ Security Service*	*General Service*	***Total international***	*National Professional Officers*	*Local level*	*United Nations Volunteers*	***Total***
Approved 2016	–	1	2	2	5	8	3	–	**21**	–	5	**21**	–	–	–	**26**
Proposed 2017	–	1	2	2	5	8	3	–	**21**	–	5	**21**	–	–	–	**26**
Change	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–

16. The estimated requirements for the Mechanism for the period from 1 November 2016 to 16 November 2017 amount to $3,278,800 (net of staff assessment) and provide for civilian personnel costs ($2,712,200) for 26 positions (1 Assistant Secretary-General, 2 D-2, 2 D-1, 5 P-5, 8 P-4, 3 P-3 and 5 General Service (Other level)), as well as office space, office automation equipment and furnishings for the offices in New York, The Hague and Damascus under facilities and infrastructure ($303,000), ground transportation ($27,800), communications ($89,800) and information technology ($138,400) and other supplies and services ($7,600).

17. The reduced requirements are mainly the result of the application of a vacancy factor of 30 per cent to the cost estimates for civilian personnel to 23 of the 26 proposed positions, from 1 January 2017 onwards (three positions are from 1 November 2016).

Extrabudgetary resources

18. Extrabudgetary resources are estimated at $5 million for the period from 1 January to 16 November 2017, which would be used to meet material and technical needs to support the implementation of the Mechanism's mandate.

19. **The General Assembly is requested:**

(a) **To approve the budget for the Organization for the Prohibition of Chemical Weapons-United Nations Joint Investigative Mechanism for the period from 1 November 2016 to 16 November 2017 amounting to $3,278,800, net of staff assessment;**

(b) **To appropriate, under the procedures provided for in paragraph 11 of annex I to resolution 41/213, an additional amount of $3,278,800 (net of staff assessment) under section 34, Political affairs, of the programme budget for the biennium 2016-2017;**

(c) **To appropriate an amount of $482,900 under section 36, Staff assessment, to be offset by a corresponding amount under income section 1, Income from staff assessment, of the programme budget for the biennium 2016-2017.**